

Senate File 348

S-3047

1 Amend Senate File 348 as follows:

2 1. Page 3, by striking lines 20 through 24 and inserting:

3 <An order by the court appointing a guardian for a minor
4 shall state the powers granted to the guardian until such
5 time as the guardian files an initial care plan and such plan
6 is approved by the court as required by section 232D.501,
7 subsection 4. Except as otherwise limited by court an order
8 appointing a guardian for a minor, the court may grant the
9 guardian the following powers, ~~which may be exercised without~~
10 ~~prior court approval:~~>

11 2. Page 4, by striking lines 5 through 8 and inserting:

12 <NEW SUBSECTION. 5. The guardian shall provide a copy
13 of the verified initial care plan and verified annual report
14 required by this section to the protected person, the protected
15 person's attorney, if any, and court visitor, if any.>

16 3. Page 9, line 23, by striking <Based upon the evidence
17 produced at the hearing> and inserting <~~Based upon the evidence~~
18 ~~produced at the hearing~~ An order by the court appointing a
19 guardian for an adult shall state the powers granted to the
20 guardian until such time as the guardian files an initial
21 care plan and such plan is approved by the court as required
22 by section 633.669. Except as otherwise limited by an order
23 appointing a guardian for an adult>

24 4. Page 9, lines 24 and 25, by striking <and duties with
25 respect to a protected person> and inserting <~~and duties with~~
26 ~~respect to a protected person~~>

27 5. By striking page 9, line 32, through page 10, line 35.

28 6. Page 11, by striking lines 16 through 27 and inserting:

29 <Sec. _____. Section 633.642, Code 2021, is amended by
30 striking the section and inserting in lieu thereof the
31 following:

32 **633.642 Powers of conservator.**

33 1. An order by the court appointing a conservator shall
34 state the basis for the conservatorship pursuant to section
35 633.553 or section 633.554.

1 2. Upon appointment by the court, and until such time as the
2 conservator files an initial financial management plan and such
3 plan is approved by the court as required by section 633.670,
4 subsection 1, a conservator has the authority to exercise all
5 powers applicable to fiduciaries pursuant to sections 633.63
6 through 633.162, unless expressly modified by the court.

7 3. In the order approving an initial financial management
8 plan or an annual report, the court shall approve and set forth
9 the specific powers of a conservator, which may be thereafter
10 exercised by the conservator until further court order. Except
11 as otherwise ordered by the court, a conservator must give
12 notice to persons entitled to notice and receive specific prior
13 authorization by the court before the conservator may take any
14 other action on behalf of the protected person.

15 4. Upon the filing of an appropriate oath by the
16 conservator, the clerk of court shall issue letters of
17 appointment. A copy of the initial order of the court shall
18 be attached to the letters of appointment. Upon approval of
19 an initial financial management plan, approval of an annual
20 report, or further order of the court granting, modifying,
21 limiting, or terminating powers of the conservator, the clerk
22 of court shall issue new letters of appointment which shall
23 reflect all powers thereafter held by the conservator.>

24 7. Page 14, by striking lines 19 through 21 and inserting:
25 <6. The guardian shall provide a copy of the reports
26 required by this section to the protected person, the protected
27 person's attorney, if any, and the court visitor, if any.>

28 8. Page 21, line 1, after <The> by inserting <conservator
29 shall provide a copy of the>

30 9. Page 21, lines 3 and 4, by striking <shall be served,
31 annually, on> and inserting <~~shall be served on~~ to>

32 10. By renumbering as necessary.

DAN DAWSON